Erection del Arzopispado

de

Mexico

1534-1535

M. S.

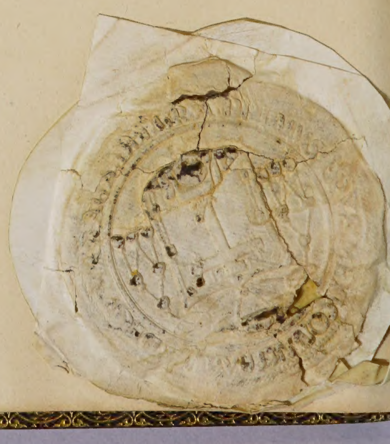
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Ioannes de cumarraga dei optimi et aplice ſedis munere epus, et ſeruus ecclie Mexiconeñ,
cuiuis sub chriſti dei euangelio eterno militanti grã, et pax a deo patre, et eius conſuſtantiali
vnigenito filio pacis auctore, qui sui diui corporis effuso cruore donauit nobis omnia de-
licta, delens quod aduersus nos erat, chirographum decreti quod erat contrariũ nobis et
ipum tullit de medio, affigens illud cruci, pacificans per ſanguinem crucis eius, siue que in
terris siue que in cœlis ſunt, placuit diuine bonitati: hiſpaniarum regnis adeo celebres pre-
ficere heros, qui nedum barbaricos enses, ac molles, que illorum uictoriam sequntur, e medio
effugarent: verum sui patrimonij et uite prodigi facti, remotiſsimas, et incognitas penetra-
rent regiones, ac idolatrie monſtruo inde ſublato, euangelium uite, crucis vexillo hinc inde
triumphante: chriſtianorum magna ſtipante caterua, plaudente religione chriſtiana, magnis
auſpitijs late, diffuseq̃, plantarent. hi sunt sereniſsima regina ioanna, ac illius genitus inuictiſ-
simus carolus, maximus imperator ſemper auguſtus. rei secularis ex dei electione sulus, et
indubitatus Monarcha: quorum cura circa hoc potiſsimũ uersatur. ut omnes gentes eandem
orthodoxam profiteant fidem, et vniuersus orbis ad unius ueri dei cultum redigatur, fiatq̃ unũ
ouile, et unus paſtor. atq̃ iuxta beati pauli oraculum, unũ corpus, unus ſpũs, una ſpes,
unus dominus, una fides unũ baptisma, unus deus et pater omniũ, qui super omnes et per
omnia et in omnibus, nobis a cunctis vniformiter proclametur. ob hoc quippe innumeras rates,
carinas atq̃ trirremes, scille, caribdi, ac alijs compluribus cerulei maris anguſtijs exposuere.
ob hoc sane in effabiles suorum regnorum thesauros, quasi manu undiquaq̃ perfosa, per abru-
tas et incultas horas, etiam nec aſſem mundani lucri inde ſperantes, herculeo illo suo animo, sepis-
ſime, et affatim proiecerunt, attentantes iter, uel euntibus, uel redeuntibus multis, nominibus
infauſtũ nullo tñ infœlicius quamq̃ pluries chriſtiani nominis augmentũ non contingebat, ac
pene duplicabat moleſtiam gentemq̃ illam experirent omnino aduersam, et inductilem, cuius
utilitati potiſsimũ tantum laboris desudabat, ob hoc res utiq̃ lucidiſsima ẽ: selectos uiros q̃ plu-
rimos, nedum in arte militari, uerum et in omnigena erudictione, ac pietate. ad barbaros et fere
beſtialiter viuentes, homines deſtinarunt, alteros quidem qui illos suo regali sceptro ſubmitteret,
alteros vero, qui sacra dei templa edificarent, et ad sinceram fidei ueritatem radijs uere theolo-
gie illuminatos, illos redigerent, et inmaculatam, quam edeficarent eccliam, si forte diabolico
inſtinctu misceretur, a fœda barbariei appellatione uendicarent. Perſpiciebat nimirum regia
prudentia id quod uerisſimũ ẽ. non mediocriter ad chriſtiane religionis ornamentũ facere, ne
quid omnino canatur, aut legatur in templis, quod non grauiſsimo doctiſsimo cuiq̃ placere,
queat. hoc ẽ, quod non ex diuinis libris hauſtum sit, aut certe a viris eximijs profectum,
demũ tanta solertia, tam ingenti cura et anguſta, opera hui rei, ſtudio inſatigabili, chriſtiani
nominis ſũpta prouintia, annis non paucis insudarunt. Vt illis in locis, in quibus ab incog-
nitis seculis aſtaroth, Bel, baldagon, et reliqũe baratrie nerine ſpurtitie colebant, iam no
nisi diuinum nomen Sacri hymni hipoſtatice laudes, uirginei cantus, diuorum panegyreci,
martirum ſanguis, virginum puritas, ecclie dogmata, et pontificia iura hinc inde resonent,
atq̃ tripudient. loquant ipsa opera, teſtent rem quondam prophane blasphemie et demo-
num nominibus plene regiones. nunc uero inſule chriſtiane et oppida fœliciſsima, chriſto,
ac glorioſse militie dicata huius fœlicitatis, participes ſunt. Cumana. perlarũ flumẽ. Venecia

minor, Sancta martha. nomen dei, darienū, pannama, nicaragua. indica cartago, profunda loca, perutū, yucatanū, cocumellū, flumen palmarum, hispanica, insula fernandina: margarita, iaymeca, et sancti ioannis, ac alia q̃plurima loca, quedam a fluminibus, quedam uero a ducū illa conquistantiū, genealogijs nomina trahentia, que adeo diuini cultus schemate fulgent, exuberatissimis templis. ac monachorum cœnobijs hinc inde constructis, ut vere de illis: respectu nr̃i: diuinū iudicium iam verificet, erunt nouissimi primi, et primi novissimi, hoc uero ingens diuini amoris incendiū piissimorum horum regum studio actum ē, quibus taliter fauit diuina clementia, ut non solum regali sceptro cunctos nr̃i eui reges antecedant, verū pietate precipui fidem christianam precunctis ampliauerint, quapropter mihi magis interea libet illis mentem istam regibus dignam, quam fortunam quamlibet amplam gratulari. O fœlicem christi populum, si passim contingat, tales eē principes, quibus christi glīa nil sit antiquius, qui totum regium ornatum moribus et uita referant. quibus et si sceptrū detrahas, tamen reges christianos agnoscas. in quibus sane fortuna, q̃ antiquitas cæcam faciebat, oculata uidetur, qui generis sui longe clarissima schemata morum suorū ornamētis illustrant, regiam dignitatem uite integritate conduplicant, imperiali aquile: nescio quid maiestatis: aditum uidetur. postq̃ hi similes non habentes principes totius orbis Monarchiam tenent. quid superē, nisi ut Christum optimū maximumq̃ comprecemur, ut istam mentem illis, illos uero nobis q̃ diutissime seruet incolumes. Adtantam itaq̃ exuberantiā, ut ad rem brebiter veniamus) horum principū deuenit clementia, q̄ mexiconeñ prouinciam, iter omnes regie dictioni submissas precipuam interra firma, quam novam hispaniā nuncupamus, situatam non solum a barbarico illo cultu christi fide vndiquaq̃ amplissime euangelizata mundauerint, verum ut ordo hierarchicus, quen Romana tenet ecctia in illa obseruetur, apostolico super hoc implorato consensu, episcopatum, cathedrale templum, ac parrochiales ecctias, dignitates, canonicatus, prebendas, beneficia, et cetera hmoi in ipā erigere, construere, edificare et fundare, omnino regio sup̄ hoc habito consilio, decreuerint, atq̃ ut rem effectui comendarent, me inutilem, et omnino ad tante rei executionem inhabilem, cum apud illos plurimi non deessent. qui mea sententia comulate valerent, suis sanctissimis votis satisfacere, ex angulo mei franciscani instituti, Semisepultū extraxerunt, et in primū mexiconeñ nominauerunt, et eligerunt epūm, quorum pie petitioni, et electioni, Sanctissimus dominus noster papa clemens huius nominis septimus paternali affectu: ut parē: condescendens aplicas litteras per manus regias nobis subpeditandas, solerti cura destinauit, quas quidem litteras in menbramine more Romano conscriptas, aptico plumbo in filis sericeis rubrei croceiq̃ coloris pendente, sanas, integras, non vitiatas, non cancellatas, nec aliqua sui parte suspectas, sed omni prorsus vitio et suspectione carentes, is qui regium agebat negociū, Coram magno cetu in precipuo templi sacro loco, sancti spūs, inuocato fabore nobis presentauit, quas q̄dē ea qua decuit veuerentia, et submissione suscepimꝰ et legimꝰ. Series uero carū de verbo ad verbum ē que sequit

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Clemens ep̃us seruus seruorū dei ad perpetuam rei Memoriam, Sacri apostolatus ministerio meritis licet insufficientibus superna dispositione presidentes, vniuersi orbis provincias, et loca ea presertim, que omnipotentis dei misericordia christiane ueritatis lucem nr̃is potissime temporibus inceperunt agnoscere, frequenti meditatione intendimus, ut in illis orthodoxe fidei cultus augeatur et christiana religio propaget̃, ac eorum incole, et habitatores Venerabiliū presulum doctrina, et autoritate suffulti, in eadem fide semp̃ proficiant, ipsaq; loca maxime insignia dignioribus titullis attollant̃, et maioribus honoribus decorentur, presertim cum id catholicorum regū, et et cesaree maiestatis pia uota exposcunt, et cognoscimus, in dn̄o salubriter expedire. Sane cum oppidum Mexiconeñ in indijs maris tirreni nuncupati, olim auspitijs clare memorie ferdinandi Aragonie regis, et elisabeth regina Castelle, et legionis regnorum, per dilectum filium nobilem virū Petrū arias militem segouieñ eorum gentium, armorum ad easdem indias destinatorum exercitus generalem capitaneum nouiter repertis, et e manibus infidelium illas tunc occupantiū, ereptis, ac ad dictionem, et dominiū eorum, et pro temp̃e existentium regum eorundem regnorū redactis, illisq; temporalibus subiectis, que eisdem regibus, dum vixerunt: et deinde charissimo in christo filio nr̃o Carolo Romanorum imperatori semper augusto, dictorum regum, nedum heredi, et successori, verum et in desiderio orthodoxam fidem ubiq; exaltandi, imitatori, ac sub eorum obidientia et dominio ratione, dictorū regnorum ex tunc successiue, eodem petro capitaneo gubernatore permanentibus, consistens admodū insigne existat, longumq;, et latissimū, et districtum territoriū circum circa habeat, adeo q; in eo, ultra viginti millia vicinorū, uel incolarū, quorum plures fideles, tam nouiter conuersi, q; et alij forenses, et de diuersis mundi partibus ad illud habitandū confluentes, conmorent̃: et resideant, ac in eo, inter alias ecclias, monasteria, et pia loca, ex deuotione regū maiestatis et capitanei predictorū, inibi constructa, vna parrochialis ecclia, sub inuocatione beate marie virginis cū structuris, et edeficijs conuenientib;, ad quam omnes ipsi fideles promissis, et diuinis officijs audiendis, ac ecclasticis sacramentis suscipiendis, tamq; ad eorum parrochialem eccliam recurrunt, et consistit, ac idem Carolus imperator summopere cupiat, eandem parrochialem eccliam in cathedralem, ipsumq; oppidum in ciuitatem Mexiconeñ erigi, & instrui. Nos habita super his cum venerabilibus fratribus nr̃is Sancte Romane ecclie cardinalibus matura deliberatione, eodem Carolo imperatore nobis super hoc humiliter supplicante ad laudem et gl̃iam omnipotentis dei, et eiusdem beate marie virginis eius genitricis, ac totius curie cœlestis, necnō ipsius fidei exaltatione, apostolica autoritate tenore presentium supplicationibus caroli imperatoris hmōi inclinati, de eorundem fratrū Consilio pariter et assensu, oppidum mexiconeñ, ac parrochialem eccliam beate marie hmōi in cathedralem Mexiconeñ, sub inuocatione assumptionis eiusdem beate marie nuncupandam pro uno ep̃o Mexicoñ qui inibi et in illius ciuitate, ac diocesi verbum dei predicet, et infideles ad eandem fidem conuertat, ac tam illos sic conuersos, q; alios predictos fideles in eadem fide expertius instruat, doceat, et confirmet, ac Sacramenta ecclastica eis ministret, et ministrari, ac predictam erectam eccliam, illiusq; edificia ad formam cathedralis ecclie redigi, faciat, ac in ciuitate et diocesi

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predictis collegiatas, et parrochiales, ac alias ecclias, monasteria, capellas, hospitalia, oratoria, et alia pia loca, ac in illis respectiue in numero et cum dotibus, ac qualitatib; decentibus, per eum assignandis, specificandis, maiores, principales, abbatiales, conuentuales, et alias dignitates, personatus. administrationes, et officia etiam curata, et electiua, necnō canonicatus et prebendas, integras, et dimidias portiones, capellanias, vicarias, et alia beneficia ecclīastica cum cura et sine cura, ac capitula, necnō capitulares, abbatiales, conuentuales, et alias mensas, erigat, et instituat, respectiue, ac alia spūalia temporalia iuris dictionalia, et pontificalia officia, omniaq; et singula alia, que alij epi regnorum eorumdem facere, et exercere, consueuerunt. et que pro diuini cultus augmento et fidei hmōi exaltatione, ipsorumq; fidelium animarum salute, expedire cognouerit, faciat: et exerceat. ac omnibus et singulis alijs preuilegijs, prerrogatiuis, preeminentijs, et gratijs, quibus alij epi predicti, de iure et consuetudine, ac alias vtuntur, potiūtur, et gaudent, ac uti, potiri, et gaudere poterunt, quomodolibet in futurum, vtatur, potiat̄, et gaudeat, ac uti, potiri, et gaudere, libere, et licite ualeat, necnō in eadem ecclia Mexicon̄ capitulū canonicorum, et personarum, epali et capitulari mensis. ac sigillo, et alijs insigniis, iuris dictionibus, priuilegijs, et preeminentijs epalibus et capitularibus, erigimus, et instituimus, ac incolas et habitatores dicte ciuitatis Ciuiū nomine decoramus, necnō eidem erecte ecclie pro illius ciuitate, ciuitatem erectam, et pro diocesi terras, insulas loca et oppida, que idem Carolus imperator, uel eius consiliū, indiarum nuncupatū, positis limitibus, et confinibus necessarijs, statui, et assignari, iusserit, ac pro clero, et populo, illorū incolas, et habitatores hmōi respectiue, ac pro dote et etiam pontificalis dignitatis, et pro tempore existentis epi, illius decentiori sustentatione, decimas, primitias, et alia iura epalia spūalia et temporalia, de bonis rebus, et fructibus, de quibus Carolus imperator, uel consiliū hmōi specificauerint, et ordinauerint, itaq; idem epus Mexicon̄, in ciuitate et diocesi predictis, episcopalem iurisdictionem, autoritatem et potestatem exercere, ac decimas et primitias et iura hmōi percipere, et leuare, ad instar epor predictorum, libere, et licite ualeat, applicamus et appropiamus, necnō ius pronatus, et infra annū propter loci distantiam, per se uel alium, seu alios ad id et ante vacationes deputādos procuratores, presentandi personas ydoneas, tam hac prima vice, q; quoties illa pro tempore vacauerint, ad ecclam uidelicet Mexiconen̄ nobis, et pro temp existenti Romano pontifici per nos et illū respectiue, in eiusdem ecclie epum, et pastorem preficiendum, ad omnes uero et singulas alias dignitates, personatus, administrationes, officia, canonicatus et prebendas, portiones, capellanias, vicarias, monasteria, prioratus. et alia beneficia hmōi, eidē tempore existenti epo mexicon̄ ac eius uicario, seu officiali per eum instituendas, ad easdem presentationes Carolo imperatori predicto ratione regnorum Castelle et legionis hmōi, ac pro tempore existenti illorum regi uel regine de similibus consilio et assensu reseruamus, concedim et assignamus. non obstantibus constitutionibus, et ordinationibus apostolicis, ceterisq; contrarijs, quibuscumq;. nulli ergo hominū liceat, hanc paginam nostre erectionis, institu-

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decorationis, applicationis, appropiationis, reseruationis, conceſſionis, et aſſignationis, infringere, uel ei auſu temerario contraire, Siquis autem hoc attemptare preſumpſerit, indignationem omnipotentis dei, ac beatorum petri et pauli apoſtolorũ ſe nouerit incurſurũ · datis Rome apud ſanctum petrum, Anno incarnationis dñice Millmo quingmo triceſſimo, quarto nonas ſeptembris, Pontificati nri Anno ſeptimo

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Poſt quarum quidem litterarum apoſtolicarum presentationem, et receptionem, ut premittit, factas, ſuimus, pro parte Sereniſſime dñe ioanne, et Caroli ſemper augusti, eiusdem filii hiſpaniarum regum, debita cum instantia requisiti, ut ad complementum litterarum aplicarum, et contemptorũ in eisdem procedentes in prefata nr̃a cathedrali eccl̃ia ad honorem glorioſiſsime marie uirginis aſſumptionis dedicata, et in dicta noua hiſpania fabricata, dignitates, canonicatus et prebendas, ac portiones, aliaq̃ beneficia, et officia eccl̃iaſtica, quot quot et prout melius expedire, videremus, tam in ciuitate, q̃ per totam diocesim erigeremus. et institueremus. Nos igitur frater ioannes de cumarraga ep̃us predictus, ac comiſſarius apl̃icus preſatus, attendentes petitionem, et requisitionem huiõi iuſtas fore, et rationi consonas, cupientesq̃, ut uerus obediens filius apl̃ica iussa, nobis directa reuerenter exequi, ut tenemur, comiſſionem predictam acceptauimus, et eadem autoritate apl̃ica qua fungimur in hac parte, prefata maieſtate instante, et petente, in predicta cathedrali eccl̃ia, Mexiconen̄ ciuitatis in predicta noua hiſpania. ad honorem dei et dñi nr̃i ihu christi, ac beatissime marie virginis matris eius, in cuius, et ſubcuius titulo per prefatũ ſanctiſſimũ dñm nr̃um cathedralis eccl̃ia ẽ erecta, tenore presentium erigimus creamus et instituimus./

Decanatum. que dignitas prima poſt Pontificalem in eadem eccl̃ia exiſtat, qui curet, et prouideat, q̃ officium diuinum, et omnia alia, que ad cultum dei pertinent, tam in choro, q̃ in altari, q̃ etiam in proceſſionibus, in eccl̃ia, et extra, in capitulo, et ubicunq̃ conuenti ecclie seu capituli ad illud exoluendum congregabunt, cum silentio, et ea qua decet honeſtate ac modeſtia rite, et recte perficiantur, ad quem etiam pertinebit, is quibus a choro ex causa discedere, conuenit, ex pressa causa, et non alias licenciam concedere./

Archidiaconatũ eiusdem ciuitatis, ad quem clericorum ordinandorum examinatio, prelato solemniter celebrante, miniſtratio, ciuitatis, et diocesis, si sibi a prelato iniungat, visitatio, et alia que de iure comuni competunt, exercere, pertinebit, qui in altero tñ iurium uel in theologia, ad minus bachalarius exiſtat in vniuersitate graduatus./

Cantoriam ad quam nullus poſſit presentari nisi in musica, Saltem in cantu plano doctus, et peritus exiſtat, cuius in faciſtolio cantare, et seruitores ecclie cantare docere, et que ad cantum pertinent, et expectant, ordinare, corrigere, et emendare, in choro et ubicunq̃ per se, et non per alium officium exit./

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Scolaſtriam. ad quam et nullus, nisi in altero iurium, aut in artibus bachalarius in aliqua generali vniuersitate graduatus exiſtat, presentetur. qui grammaticam clericos et ecclie seruitores, ac omnes diocesanos audire volentes per se, uel per alium docere tenebitur./

Thesaurariam. ad quem eccliam claudere, et apperire, campanas pulsare facere, omnia utensilia ecclie, custodire lampades et luminaria curare de incenso luminibus, pane, et uino ac reliquis ad celebrandũ necesarijs de redditibus fabrice ecclie exponendis, ad votum capituli prouidere pertinebit./

Nec non decem canonicatus et prebendas, quas a dictis dignitatibus omnino ſepparatas, eé decernimus, nec unq̃ unam simul cum dignitate aliqua obtineri, posse, ordinamus. ad quos et canonicatus et prebendas, nullus presentari poſſit, nisi ad sacrum presbyteratus ordinem iam sit promotus, ad quos quidem canonicos quotidie, preterq̃ in prime, et secunde dignitatis, festiuitatibus, in quibus prelato, uel eo impedito aliqua de dignitatibus celebrabit, miſſam celebrare expectabit,

Inſtituimus insuper Sex integras et totidem dimidias Portiones, et qui ad dictas integras portiones presentandi ſuerint, ad sacrum diachonatus ordinem sint promoti, in quo quidem ordine teneant in altari quotidie deseruire, necnon paſſiones decantare. qui uero ad dimidias, ad sacrum subdiachonatus, qui quidem epiſtolas in altari, et in choro, et prophetias, lamentationes, et lectiones teneantur decantare. /

Volumus insuper et ſtatuimus, q̃ ad dignitates, canonicatus, portiones, integras, et dimidias supradictas, uel ad aliquod alliud beneficium totius nr̃e diocesis nullus presentari, ualeat, qui cuius uis ordinis, priuilegij, aut officij occaſione a iurisdictione nr̃a ordinaria sit exemptus, et si forte contigerit exemptum aliquem presentari uel inſtitui, talis presentatio uel inſtitutio sit ipso iure nulla.

Ac duos Rectores. qui exerceant in dicta cathedrali nr̃a ecclia officium rite et recte miſſas celebrando confesiones audiendo. aliaq̃ sacramenta, caute et solicite miniſtrando, qui ad presentationem catholicarũ maieſtatum sicut cetera beneficia nr̃e diocesis prouideantur.

Ac sex accolitos, qui accolitatus officium in altaris miniſterio quotidie p ordinem exercebunt ordinamus.

Capellanos insuper sex, quorum quilibet tam in nocturnis, q̃ in diurnis, ac etiam miſſarũ solemnitatibus, ad faciſtolium in choro personaliter interesse, et in vno quoq̃ mense Miſſas viginti, nisi iuſta infirmitate uel impedimento fuerit impeditus, celebrare teneatur. /

Presentationem autem dictarum dignitatum, canonicatuum, portionum integrarum, ac dimidiarum, aliarumq̃ dignitatum canonicatuum, ac similium portionum futurarum in predicta nr̃a cathedrali ecclia creandarum, prefatis catholicis hiſpaniarum regibus, ac eorum successoribus, prout de iure eis competit, et autoritate aplica, reseruamus eadem autoritate.

Accolitorum, ac capellanorum predictorum electionem, seu prouisionem, ad nos. et successores nr̃os, vna cum nr̃o capitulo, pertinere decernimus. volumus autem, q̃ dicti capellani, qui pro tempore fuerint eligendi, non sint familiares epi, nec alicuius persone dicti capituli, nec fuerunt tempore vacationis.

Officium uero Sacriſte qui ea que ad officium thesaurarij expectant ipso presente et de eius comiſſione, et in eius absentia, ad votum capituli exercere tenebitur.

Officium organiſte, qui organa in diebus festiuis, et alijs temporibus, ad votum prelati uel capituli pulsare teneatur.

Officiũ perticarij, cuius in proceſſionibus ordinare, prelato, presbytero, diacono, subdiachono,
et reliquis altari miniſtrantibus de choro ad sacriſtiam, uel altare, uel de altari ad sacriſtiã
in chorum euntibus, uel redeuntibus anteire officium erit.
Officium æcconomi, siue procuratoris fabrice, et hoſpitalis qui architectoribus, muratoribus,
necnon fabris lignarijs, et alijs officialibus, edificandis ecctijs operam dantibus preerit, quiq
per se, uel alios, redditus et prouentus annuos, et quecunq emulumenta et obuentiones, ad
dictam fabricam et hoſpitale quouis modo pertinentia, coligere, et expendere habebit, reditu-
rus annuatim rationem de receptis, et comsũptis ẽpo et capitulo uel officialibus ab eisdem,
ad hoc ſpecialiter deputatis, necnõ ad eorum nutum eligendus uel remouendus, preſtita prius
per eum ydonea satisdatione, q ad adminiſtratione admitatur.
Officium insuper Cancellarij siue notarij ecctie et capituli, qui quoscunq contractus inter
ecctiam, ẽpum, capitulum, et quoscunq alios in prothocollo et notis ſuis recipere actus capi-
tulares scribere donationes, poſſeſiones, census, feudus. precaria per eosdem ẽpum et capi-
tulum et ecctiam uel eisdem factas uel in poſterum faciendas, annotet, et scribat et instru-
menta cuſtodiat, partes redditũum beneficiatis diſtribuat, necnõ rationes reddat et recipiat.
Officium insuper Canicularij, qui canes ab ecctia eiiciat, in omnibus ſabbatis et quorumcunq,
feſtorum uigilias habentiũ, uigilijs, et alias ubi et quando, p thesaurariũ sibi fuerit iniunctum ecctiã
purgabit,
De quibus omnibus Videlicet quinq dignitatibus, decem canonicatibus, Sex integris, et toti-
dem dimidijs portionibus, et sex capellanis, et sex accolitis, et officijs predictis, quia de presenti
fructus redditus et prouentus decimarum non suppetunt thesaurariam ex dignitatibus, quinq
uero canonicatus, et omnes integras et dimidias portiones ad presens in dicta erectione volumus
ſuſpendere, q si preſatis quatuor dignitatibus, et quinq canonicis, redditus memorate quarte
partis, ad presens (quod non credimus) non suppetant, arbitrio noſtro, nrorumq successorũ
reseruamus. quas dignitates quosq canonicatus, interim ſuſpendere debeamus, donec reddi-
tus excreuerint, Suſpensi uero expectabunt donec ad maiorem quantitatem fructus peruenerint,
reſtituendi ad prebendas preſatas, per nos et nros successores, ordine nobis considerando, ad
potiorem ecctie nre utilitatem, ita tamen, ut cum deo duce ad pinguiorem fortunam fructus et redditus
nre predicte ecctie peruenerint, q primum ad dotem thesaurarie ſuſpense applicatam, desu-
per crescentibus fructibus auctum fuerit, thesaurariam eandem ex nunc erectam, et creatã,
eẽ decernimus absq alia noua creatione, et erectione persone per eandem catholicam maieſta-
tem nominande, conferendam, et consequenter, dum fructus redditus et prouentus ulterius
augmẽtum receperint, dictorum canonicorum numerus usq ad denarium numerum succes-
siue augeatur, quo expleto, tunc omnes integre, et dimidie portiones, successiue suo ordine
admitantur, et demũ de redditibus superexcrescentibus, sex accolitatus pro sex clericulis
qui in quatuor minores sint conſtituti, et acolitorum officium in altaris miniſterio exer-
ceant, et sex capallanie simplices, pro sex predictis capellanis similiter prouideantur, poſtmo-
dum uero, officium organiſte, et perticarij, æcconomi, notarij, et canicularij predictorum
dicto numero successiue iuxta ordinem literaliter premiſſũ, absq aliquo interualo augeatur.

Et quia secundum apostolum, qui altari seruit, de altari viuere debet, omnibus et singulis dig-
nitatibus, personis, et canonicis prebendatis, et integris, et dimidiis portionarijs, capellanis, cle-
riculis, siue accolitis, ceterisq officijs, et eorum officialibus, iuxta numerum supradictu expres-
sis, omnes et singulos fructus, redditus et prouentus, tam ex regia donatione, q ex iure decimar
aut alias quouis modo ad eos depnti aut in futurum pertinentes, videlicet ordine literario, decano
archidiachono / cantori / scolastico / thesaurario, et omnibus canonicis / necno portionibus, et di-
midijs, ac etiam rectoribus, et omnibus alijs supra notatis / et nominatis Modo sequenti.
Decano, scilicet centum et quinquaginta libras, pesos / uulgariter in illis partibus nuncupatas /
quarum librarum quelibet, unum castellanum aureum quadringentos octoginta quinq ma-
rapetinos monete vsitate hispanie constituentem. archidiachono centum et treginta valoris
eiusdem pesos seu castellanos, et cuilibet de dignitatibus, totidem, et cuilibet de canonicis, cetu
portionariorũ cuilibet septuaginta, dimidijs treginta quinq, capellanis quidem cuilibet viginti,
accolitis singulis duodecim. / organiste sedecim / et notario totidem, perticario totidem, ecconomo
uero quinquaginta, caniculario quidem duodecim libras auri, similes totidem castellanos et
marapetinos constituentes, ex nunc pro tunc ordine literario, prout exprimitur, seruato, cum
fructus, redditus, et prouentus superexcreuerint, applicamus, et assignamus. Et quia ut dictum e
propter officium datur beneficium. Volumus, et in uirtute sancte obedientie districte percipiendo,
mandamus. q predicta stipendia sint quotidiane distributiones assignate, distribute quoti-
die interessentibus singulis horis, nocturnis pariter et diurnis, et exercicijs dictorum officioru,
itaq a decano usq ad accolitum inclussiue, is qui alicui hore non interfuerit in choro, stipendi
siue illius hore distributione careat, et officialis qui sui officii exercitio, uel executioni deerit,
multetur Similiter singulis vicibus pro rata salarij, Tales uero distributiones, quibus absentes
priuantur, ad potiorem decorem diuini officij, iuxta arbitrium nrum, nrorumq successorum,
uolumus, distribuant, item volumus et eadem autoritate ordinamus, ut omnes et singule dig-
nitates canonici et portionarij dicte nre eccle cathedralis teneantur residere et seruire in predicta
nra ecclia, per octo menses continuos, aut interpollatos, aliquim nos uel successores nri. qui
pro tempore fuerint aut capitulu / sede uacante / teneantur, co prius vocato, et audito, si iusta et
rationabilem causam absentie non habuerit, et allegaberit, personatum, uel canonicatu siue
portionem vacantem pronunciare, et de illo uel illa, ydoneis, ad presentationem tamen prefate
catholice maiestatis, et eorum in regnis hispanie successorum, prouidere. Iustam autem ab-
sentie causam, hoc loco difinimus egritudinem, dum tn beneficiatus infirmus in ciuitate mane-
at, aut in suburbijs eiusdem ciuitatis, aut si eam incurrerit, stans extra ciuitatem, cum redi-
erit, aut redire parauerit ad eam, dum tn hoc probationibus legitimis constet, uel cum de man-
dato epi uel capituli simul, et pro causa et vtilitate eccle absens fuerit, itaq ista tria con-
currant in hac sua absentia,

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15 Volumus insuper, et de consensu et beneplacito prefate et Serenissime maiestatis et eadem
autoritate apostolica, statuimus, decernimus, et mandamus, q omnium decimarum tam

cathedralis, quam aliarum ecctiarum dicte ciuitatis et diocesis, fructus, redditus, et prouentus, in quatuor equales diuidant partes. quarum unam, nos et successores nri epi, perpetuis futurisque temporibus, pro onere pontificalis habitus sustentando, et ut decentius et iuxta pontificalis officii exigentiam statum nrum sustentare valeamus, absque aliqua diminutione pro nra episcopali mensa habeamus. decanus uero et capitulu et reliqui ministri ecctie quos super assignauimus, aliam quartam partem, modo premisso, inter eos diuidendam habeant, a quibus partibus, licet ex comissione aplica et longeui temporis usu, moribus et consuetudine approbata, eadem catholica maiestas terciam partem /tercias/ in hispania vulgariter nuncupatam, habere et recipere, integraliter consueuit. Volens erga nos sue liberalitatis dexteram extendere, prout et ostendit circa alias partes, circa qualitatibus insra expressis, nos et epos successores, ac capitulu prefatos, ut magis debitores tanto munere refectos efficeret, et ut pro eadem et regiis eiusdem maiestatis successoribus, preces effundere teneremur, in nra et dicte ecctie nre et capituli, in sua quarta decimaru parte liberos et exemptos in futuru ee voluit. Relique uero due quarte partes, iterum in nouem diuidendas partes decernimus. duas quarum eidem maiestati serenissime, in signum superioritatis, et iuris pronatus, ac ratione acquisitionis predicte terre futuris perpetuis, temporibus percipiendas, et leuandas, applicamus.

De reliquis uero septem partibus, bifariam duximus ee faciendam diuisionem, quaru quatuor de dictis septem, omnium decimarum parrochie nre cathedralis ecctie pro dictis duobus rectoribus in eadem nra ecctia, ut dictum e, preficiendis cum omnibus primitiis eiusdem parrochie applicamus. ita tamen quod predicti duo rectores prestare teneant octauam partem dictarum quatuor partium sic illis applicataru dicte nre ecctie Sacriste, qui teneatur iuxta morem deseruire. volumus autem, quod si successu temporis portio cuiuslibet dictorum rectorum, quam modo premisso percipere debet, suma centum et viginti aureoru castellanorum /pesos/ vulgariter nuncupatorum excesserit, quod super excreuerit, reliquis canonicatibus portionibus et dimidiis portionibus, et aliis officiis nre dicte cathedralis ecctie, ut dictum e suppressis applicetur. in singulis uero parrochialibus ecctiis tam dicte ciuitatis, quam totius nre diocesis. quatuor predicte de dictis septem, beneficiis in unaquaque dictaru ecctiarum erigendis, et creandis, applicamus, declarantes, etiam simili modo octauam partem dictaru quatuor partium, sic dictis beneficiis applicataru, sacriste, cuiusque parrochialis ecctie, dicte ciuitatis et diocesis nre ee tribuendam. Volumus autem et ordinamus, quod omnibus dicte ciuitatis et diocesis nre, ecctiis parrochialibus (excepta nra ecctia cathedrali) tot beneficia simplicia creentur et ordinent, quot ex quantitate redditunm dictarum quatuor partiu, sic eisdem beneficiis applicatarum, creari et ordinari poterunt, assignata tantum congrua et honesta sustentatione clericis, quibus beneficia illa conferri debent. itaque nullus sit determinatus dictorum beneficiorum numerus, sed superexcrescentibus fructibus crescat et ministroru copia in eisdem ecctiis, que quidem predicta benificia simplicia seruitoria, que pro tempore in dictis ecctiis creari contigerit, ut dictum e, quotienscunque vacare contigerit, quouis modo prouidere uolumus, et

Statuimus: filijs dum taxat patrimonialibus descendentibus ab incolis qui ex hiſpania, in dictam prouin-
ciam transmearunt, aut ad eam in habitandam in futurũ transire contingat, donec in poſterum
uisa et cognita per nos uel ſucceſſores nr̃os chriſtianitate et capacitate indorum, ad inſtantiam
et petitionem supra dicti patroni, nunc uel pro tempore exiſtentis uisum fuerit. in dis et natura-
libus dicta beneficia etiam prouidenda, premiſſo prius examine et oppoſitione iuxta formam et
laudabilem consuetudinem in episcopatu palentino actenus obseruatam inter filios primo-
niales, dum tñ dicti filii patrimoniales, quibus sic de dictis beneficiis prouisum fuerit, infra
annum et dimidium, a die sibi facte prouisionis, teneantur presentare, et oſtendere coram
dicte prouintie appellationum iudicibus, aut gubernatore pro tempore ibidem exiſtentibus
ratihabitionem dictarum catholicarum maieſtatum, uel pro tempore successorum suorum
in hiſpanie regnis, collationem et prouisionẽ sic sibi predicta forma factarum, alioquin pre-
dicta beneficia eo ipso vacare censeatur, prefatiq catholici reges, siue illorũ successores, per-
sonas alias poſſint ad dicta beneficia, iuxta predictam formam callificatas, presentare. Volu-
mus autem, q̄ donec exiſtant filii patrimoniales, qui iuxta prefatam consuetudinem pale-
tinam, possint eligi ad dicta beneficia. prouisio dictorum beneficiorum fiat ad presentatio-
nem dictarum catholicarum maieſtatũ pr̃onorum et non alias. Sed quia animarum cura
dicte ciuitatis, ac totius nr̃e diocesis ad nos et futuros ſuccessores nr̃os principaliter et pre-
cipue expectat, tam q̄ qui iuxta apoſtoli sentenciam de illis in die iudicii rationem red-
dituri sumus, accedente ad hoc consensu, ac uoluntate earumdem catholicarum maieſtatũ
pr̃onorum predictorum, et sua inſtante petitione ac autoritate et thenore predictis. uolum9
et ordinamus, q̄ in omnibus dicte ciuitatis ac nr̃e diocesis ecc̃lijs parrochialibus, excepta parrochia
nr̃e eccl̃ie cathedralis, nos et prelati, qui pro tempore fuerint, comendemus, et iniungam9 animarũ
curam pro nr̃e uoluntatis arbitrio, cui uideremus ipsarum ecc̃liarum beneficiato, seu benefi-
ciatis, seu cuicumq alio sacerdoti, etiam non beneficiato, pro eo tempore, ac ſub illa forma
quibus nobis visum fuerit, dictarum animarũ saluti magis expedire, sub diuini obteſtatio-
nem iudicij futuros omnes et nr̃os successores exortantes et requirentes q̄ in hac comiſſione
animarum, nulla sit apud eos personarum acceptio, sed solum sibi a deo comiſſarum oviũ
utilitati consulant, et saluti. et ut qui prefate animarũ cure a nobis uel illis prepoſiti fue-
rint, congruentius valeant ſuſtentari, pro ipsarum animarum solicitudine, aliquam
suscipiant temporalem retributionem, applicamus eorum cuilibet primitias omnes parro-
chie illius in qua sic animarum curam gesserit, relicta parte sacriſte inferius designanda.
Volumus insuper, et ordinamus, q̄ inſtitutio, et deſtitutio sacriſtarum omniũ ecc̃liarum
nr̃e diocesis fiat semper ad nutum et diſpositionem nr̃am, et nr̃orum pro tempore succes-
sorum cum moderatione salarij, si forsam dicta pars octaua, que sibi, ut premiſſũ ẽ,
solui debet, in magnam excreuerit quantitatem, ita tñ q̄ quid quid ex eadem octaua

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parte illis, per nos, uel successores nros ademptum fuerit, in ipsius ecctie fabrica, uel aliquod diui-
ni cultus augmentum eiusdem ecctie et non in aliquos alios usus consumi debeat, similiter
tres partes reſtantes, de septem partibus supradictis, in duas iterum partes equaliter diuidantur.
quarum vnam, scilicet medietatem trium dictarum partium, cuiuslibet dictorum oppidorum
ecctie fabrice libere applicamus, reliquam uero partem, uidelicet medietatem trium dictarum
partium, hoſpitalibus cuiuslibet oppidi cosignamus, de qua quidem medietate siue parte eisdem
hoſpitalibus applicata, dicta hoſpitalia teneantur, hoſpitali principali exiſtenti vbi cathedralis
fuerit ecctia, decimam soluere. applicamus et eadem autoritate in perpetuum fabrice di-
cte nre ecctie ſanctiſſime Marie, omnes et singulas decimas unius parrochiani eiusdem
ecctie, et omnium aliarum ecctiarum totius ciuitatis et diocesis per prefectum fabrice
ecconomum, singulis annis eligendi, dum tn talis electus parrochianus non sit primus
seu maior, uel ditior nre dicte ecctie cathedralis et aliarum ecctiarum nre dicte diocesis. Offm
uero diuinum, diurnum pariter et nocturnum tam in miſſis quam in horis, fiat semper et dicat
secundum consuetudinem ecctie hiſpalensis, donec et quousque ſynodus celebretur. Volumus
insuper et de eius celsitudinis inſtantia et petitione ordinamus, quod portionarij ipsi vocem
habeant in capitulo vna cum dignitatibus et tam in ſpualibus quam in temporalibus, preterquam
in electionibus, et alijs a iure prohibetis caſſibus, qui solis dignitatibus et canonicis pertineat.
Et insuper uolumus et de eius serenitatis inſtantia et petitione ordinamus, quod in dicta nra ca-
thedrali ecctia, preterquam in diebus festiuis, in quibus unatantum miſſa solemniter celebrabit
hora terciarum, due quotidie miſſe celebrentur, quarum vna prima, primis diebus veneris cu-
iuslibet mensis de anniuersario fiat pro hiſpanie regibus preteritis, pntibus, et futuris. dieb
uero ſabbati miſſa predicta in virginis glorioſſe honorem pro prefatorum regum incolumitate
et salute reſpectiue celebretur. cuiuslibet autem mensis prima die lune, eadem miſſa pro
animabus in purgatorio exiſtentibus ſolemniter dicatur, reliquis uero diebus prefata miſſa
de prima poſſit celebrari ad uoluntatem et diſpositionem, cuiuslibet persone uolentis ipsam
dotare, dictique epus et capitulu poſſint quamcunque dotem recipere, a quibusuis personis
sibi oblatam, pro eiusdem miſſe celebratione. secunda vero miſſa de feſto uel de feria oc-
currenti, Secundum ſtilum hiſpalensis ecctie, uel alias hora terciarum celebrabitur, et quicunque
maiorem miſſam celebrauerit, ultra comunem diſtributionem, omnibus illi mise interessentib
aſſignatam, uel aſſignandam ſtipendium lucretur triplum quam ad quamcunque diei horam. nisi
ex rationabili et iuſta causa et de decani licencia, uel alterius in choro pro tempore presidentis,
absens fuerit. Super quo petentis licenciam et concedentis concienciam oneramus, et quicunque
similiter matutinis et laudibus interfuerint, triplum lucrentur, quam ad quamcunque diei horam
et insuper ſtipendium prime, quamuis illi non interfuerit. Volumus insuper, et de eius ma-
ieſtatis inſtantia et petitione ordinamus, quod bis in qualibet hebdomada capitulum teneatur
feria uidelicet tercia, et sexta, et quod feria tertia tractetur ibidem de negocijs occurrentibus, feria
autem Sexta, de nulla alia re, nisi de morum correctione, et emendatione tractetur, et de

his que ad diuinum cultum debite celebrandum, et ad clericalem honestatem, in omnibus et
per omnia, tam in ecclia q̃ extra conseruandam, expectant, et quelibet alia dies ad capi-
tulum celebrandum sit interdicta, nisi noui cassus qui emerserint, aliud exegerint, per hoc
autem nolumus iurisdictioni nre episcopali aut successorum nrorum circa correctionem
et punitionem dictorum canonicorum aliarumq personarum nre cathedralis ecclie ali-
quatenus derogari quam omnimodam iurisdictionem correctionem et punitionem dictarz
personarum, nobis et dictis successoribus reseruamus. ad instantiam et petitionem pre-
fatarum maiestatum pronorum, et de eorum consensu. Item eadem autoritate et de eiusd
catholice maiestatis beneplacito, statuimus et ordinamus, q quilibet dicte nre ecclie et dio-
cesis clericus prime thonsure ad hoc ut poßit priuilegio gaudere clericali, deferat thonsu-
ram vnius regalis argentei magnetudinis monete usualis hispanie et per duos digitos
infra aures tantum atergo prosequente srisura capillos tondeat. uestibusq honestis
induatur, clamide uidelicet, uel mantello, seu pallio, quod uulgariter loba nuncupat,
o manto clauso, uel apperto, ad terram protensis, non rubrei croceiq coloris, sed alteriq
honesti coloris, quibus tam inuestibus superioribus, q̃ in inferioribus vtatur.

Item eadem aplica autoritate, necnō de eiusdem celsitudinis, et catholice maiestatis con-
sensu deliberato, quia in ipsa prouincia de Mexico, in noua hispania uulgariter nuncu-
pata, in ciuitate Mexiconen, et sub in uocatione beatißime marie virginis asumptionis,
cathedralem eccliam in honorem eiusdem uirginis aſsumptionis. aplica autoritate per-
petuo erigimus, domos, habitatores, incolas, et vicinos, tam intra ciuitatem, q̃ in sub-
urbijs eiusdem ciuitatis de presenti uel infuturum habitantes, et conmorantes in dicte
ecclie uirginis marie aſsumptionis parrochianos deputamus et aßignamus, donec in
dicta ciuitate cōmoda per nos, et nros successores fiat diuisio parrochiarū cui etiam iura
parrochialis ecclie, soluere teneant decimas, primitias et oblationes offerre arectoribus
eiusdem ecclie, confesionis, eucharistie, et alia sacramenta recipere, necnon eisdem
rectoribus sacramenta hmoi conferre et administrare, et parrochianis recipiendi, licen-
ciam concedimus, pariter et facultatē.

Item volumus, statuimus, et ordinamus. q consuetudines, constitutiones, ritus,
et mores legitimos et approbatos, tam officiorum q̃ insigniarū et habitus anniuersariorz
officiorum, mißarum, aliarumq omnium approbatarum ecclie hispalensis, necnon
aliarum cuiusuis ecclie seu eccliarum, ad nram cathedralem decorandam, et regendā
necesarie reducere, ac transplantare, libere valeamus.

Et quia que nouo emergunt, nouo indigent auxilio, igitur litterarum supra dictarum virtute,
nobis, et successoribus nris plenißimam emendandi, ampliandi, et ea que opportuerit statu-
endi, et ordinandi in posterum potestatem reseruamus, ut poßimus id facere de con-
sensu

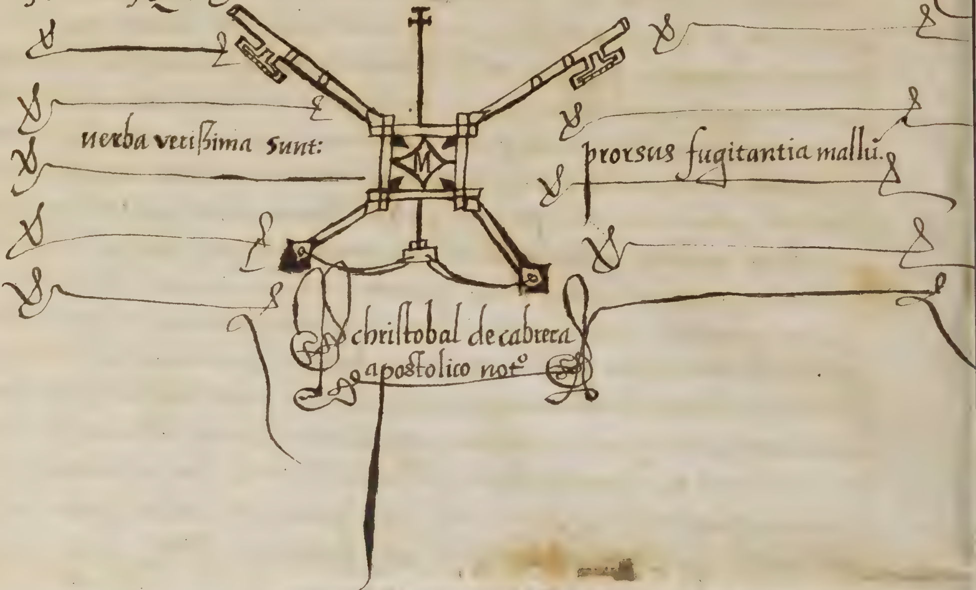
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petitione, et instancia regie maiestatis, tam circa questionem et taxationem dotis perpetuã, uel temporalem, et limitum nri episcopatus, et omnium beneficiorum, q̃ circa retentionem decimarum, uel diuisionem earundem, secundum thenorem bulle alexandri, per quam ipsis regibus hispanie fuit facta donatio decimarum, licet ad presens per eandem regiam maiestatem, ad alimenta nobis sint. cum his tamen qualitatibus, donata, que omnia et singula, instantibus et petentibus predictis dominis meis, regina, ac regibus, dicta aplica autoritate qua fungimur in hac parte, et melioribus modo, uia, atq forma, quibus melius poßumus, et de iure debemus. erigimus, instituimus, creamus, facimus, disponimus et ordinamus, cum omnibus et singulis, ad id necessariis, et opportunis, non obstantibus contrariis quibus cunq, et illis precipue, que Sanctißimus dñs nr prefatus in suis preinsertis litteris apostolicis, uoluit non obstare, et ea omnia et singula omnibus et Singulis presentibus et futuris cuius cunq status, gradus, ordinis, preeminentie, uel conditionis, fuerint, intimamus, insinuamus, et ad omniũ noticiam deducimus et deduci uolumus. per presentes mandamus, predicta autoritate, in Sancte obedientie uirtute, omnibus et singulis supradictis, ut omnia et singula quemadmodũ a nobis instituta sunt, obseruent, et obseruari faciant. in quorum omnium et singulorum, fidem et testimoniũ premissorũ, presentes litteras, siue presens publicum instrumentũ ex inde fieri, et per notariũ publicũ infra scriptum, scribi, et publicari, nriq sigilli iussimus et fecimus appensione conmuniri, datis. Toleti sub anno a natiuitate dñi, Millmo quingmo Tricesimo quarto. Omnem suscriptionem et lineatam et per notarium approbatam

fr Joães d çumarraga.
epũs mexicanen

Et quia ego christophorus de cabrera clericus burgeñ diocesis: apostolicus autoritate aplica notarius: prefatis presentationi: requisitioni: aceptationi: erectioni: institutioni: applicationi: premissis q omnibus et singulis dum sic ut premittitur agerentur et fierent presens fui: ideo hoc presens publicum instrumentũ manu propria scriptum: et ex notis meis suptũ: signo et nomine meis solitis et consuetis signaui atq subscripsi in fidem et testimoniũ premissorum, rogatus, et requisitus. Va sobre raydo o diz vexillo e o diz cũ structuris e o diz positis. Va entre renglones o diz drm e o diz fortunam. e sobre raydo o diz iuxta e o diz prouidenda e o diz ut. Vala e no empezca. Testigos que fuerõ presentes a lo que dicho es, llamados e rogados. Raphael de ceruanes maestro en artes y doctor en theologia prouisor deste obpado de mexico y francisco martinez clerigos presbyteros. e Sancho lopez de agurto mayordomo desta dicha yglia: e alonso lopez alguacil dela audiencia episcopal legos. E yo el sobredicho notario publico que a todo lo

que dicho es presente fuy en vno con los dichos testigos / e lo signe con mi signo / rubrica /
y nonbre acostumbrados, rogado y requirido. que fue fecha en la ciudad de mexico
a siete dias del mes de setiembre año de nro salvador ihu christo de mil y quinientos
y treinta y cinco



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Erection de mexico

Madrid. May 1871.

I shall endeavour to translate and resume the contents of this all-important document, using the very words of the writers thereof.

" It behooved Divine Goodness to place at the head of Spain princes, who, to destroy idolatry, enter, with large armies, the most unknown and distant countries. Queen Jane and her son Charles, have, at a heavy cost, fitted innumerable vessels, which they sent across seas full of dangers, towards shores barren and difficult of access, without the hope of realizing from these difficult expeditions the least material profit. Great losses have been experienced, both in going and returning; nor did they always succeed in implanting the Christian religion among people hostile and hard to lead. Superior men, scholars and scholars of all kinds, have been sent to those barbarous tribes, which lived almost like brutes, in order to bring them to subjection and erect churches. Many years of efforts have been required to convert a people which had been adoring for centuries, Astaroth, Bel, Beldagon and other sea divinities. CUMANÁ, PEARL RIVER, LITTLE-VENICE, SANCTA MARTHA, NOMEN DEI, DARIEN, PANNAMA, NICARAGUA, CARTHAGO INDICA, PROFUNDA LOCA, PERUTUM, YUCATAN, COCUMELL, PALM RIVER, HISPANICA, FERNANDINA, MARGARITA, JAMAICA, SAN JUAN, &c possess rich churches and convents. To-day, our Sovereigns have just achieved the establishment, with the assent of the Pope, of an archbishopric in the Province of Mexico, which is the principal part of New Spain, with a Cathedral, parochial churches, deanries, prebends, &c &c. &c.

I, <u>JUAN DE CUMARRAGA</u>, a Franciscan monk, ... have been appointed Bishop, and Pope Clement VII has confirmed me by an apostolic brief written on parchment, with a leaden seal attached with a silk thread red and yellow. This document was remitted to me, by the intermediary of the King, in the Church itself, in presence of a great concourse of people.

Here is the text thereof:

" The village [Oppidum] of Mexico, in the Indies of the Tyrrhenean Sea, was conquered in the reign of Ferdinand of Aragon and Elizabeth of Castille, by Pedro Arias of Segovia, Captain general of the expedition to the Indies. Now, under the reign of Charles and under the administration

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of this Pedro, it contains twenty thousand inhabitants (converted natives or strangers who have come from all parts). They have erected churches, Convents, holy-places, among which a parochial church under the name of Santa-Maria. The Emperor Charles wishing to alter the latter into a Cathedral and to make of the village (Oppidum) a city [civitas], We have resolved, with the assent of the Cardinals, to promote this church to the rank of Cathedral, under the name of Church of the Assumption, to establish therein a Bishopric with all its dependencies, and to confer to all the inhabitants of Mexico, the title of citizen. The Bishop shall enjoy all the rights ascribed to prelates of his rank.

Rome, September 5th 1534."

In consequence of the Papal Brief, Juan de Cumarraga, creates the following offices:

Five dignitaries, viz:

A Dean, an Archdeacon, a Chanter, a Grammar Teacher, and a Treasurer, who is at the same time, Door-Keeper, Bell-Ringer and Beadle [or rather Sexton or Sacristan].

Ten Canons, six Deacons, and six Under-Deacons, two Rectors, six Acolothists [ακολουθεω], six Chaplains, a sub-sacristan [or beadle], an Organist, an Usher, a Steward, a Chancelor [or Notary], and a CANICULARIUS whose functions consist in expelling dogs from the Church which he is also charged with sweeping.

The revenues of the Church or Cathedral, not being sufficient yet to maintain so many persons, the appointment of the Treasurer, of five ~~[illegible]~~ Canons and of all the Deacons and under-Deacons is postponed. Other offices will likewise be suspended if the poorness of the revenue require it, until the day when it will be possible to fill all the vacancies, commencing with that of the treasurer.

The Dean shall receive 150 piastres (setting the value of the piastre at a Castillan gold piece and 485 maravedis). The Arch-Deacon and the other three Dignitaries shall receive 130 piastres each; every Canon 100, the Deacon 70, the under-Deacon 35, the Chaplain 20, the Acolothist 12, the Organist, the Notary and the Usher 16 piastres each; the Steward 50, the Canicularius.

. . . . Now follow the mode of payment, fines &c. &c.

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The Bishop shall be entitled to one quarter of the entire revenue of the Church; the second quarter shall be set aside for the salary of the Clergy; As to the other two quarters they will be divided into nine equal portions.

Two parts shall belong to the King

Four parts shall be given to the two Rectors and to the sacristans of the Diocesan Churches.

One and a half part shall be applied to the Church wardens, and

One and a half part to the Hospitals....

. . . . Then follow interesting details concerning the manner how the Clergy shall be chosen. Until the time when the Indians shall have given proofs of their capacity and attachment to the Christian Religion, the Clergy shall be taken from the Spanish Colony, under the Kings' presentation. The Indians will be first examined as it is done in the Bishopric of Palenqué; and the King shall have one and a half year to confirm the choice of a native.

Divine service will be performed according to the system of rituals of the Church of Sevilla........ Then follows details touching the division of the new city of Mexico into Parishes........

Done in Toledo in the year of the Lord One thousand Five Hundred and Thirty-Four.

It is signed by the Bishop of Mexico himself.

The body of the document is in the hand-writing of Cristobal de Cabrera, Notary apostolic, who also wrote the certificate at the end, which certificate was delivered in <u>Mexico, September 7th 1535.</u>

The seal reads as follows:

FRA(ter) IOA(nnes) DE CUMARAGA, DEI GR(ati)A PRIMUS EP(iscop)VS MEXICONEN(sis).

The text has been published in full, and faithfully, by Bishop Lorenzana, in his <u>Concilium Mexicanum</u>, Mexico, 1769, 4to, Vol. II, at the end with a separate pagination, under the title of: <u>Erectio Ecclesiæ Mexicanæ quæ eadem est cum ceteris ejusdem provinciæ.</u>

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D. Fr. JUAN DE ZUMÁRRAGA or ÇUMÁRRAGA, was born at Durango, in the Province of Biscaya. When? "En el año de 1468," says Gil Gonzalez Davila. He joined the order of the Franciscans. In what year? (Teatro, p. 19)
He was in charge of their convent of Abrojo, near Valladolid, when Charles V appointed him Bishop of Mexico.

"Hecho obispo, antes de consagrarse pasó á estas partes de la Nueva España, año de mil y quinientos y veinte ocho, con título de electo obispo y protector de los indios", says Fray Gerónimo de Mendieta (Historia Eclesiástica Indiana, cap. XXVII, p. 629. of Icazbalceta's edition)

But it seems that the first steps for the erection of the Mexican bishopric were taken the year preceding, since we find in Herrera (Decad. IV, lib. II, cap. II) under the date of 1527, the following remark: "Començaronse a despachar negocios de Nueva España i presentó el Rei para el Obispado, que convenia erigir en Mexico, á Fr. Juan de Çummaraga ......" Yet G. G. Davila (p. 20) says "en doze de Diziembre del año de 1527, le consagró D. F. Julián Garces, Obispo de Tascala."

He returned to Spain in 1532, probably to have a settlement of his difficulties with the 'Oidores' and Governors, chiefly concerning the awful treatment inflicted on the Indians. He was still in Spain in January 1533, for I discovered in the Columbian Library at Seville a plaquette, an oration delivered by him, and dated "ex Maioreti oppido Kl. Ianuarij. M.D.XXXIII." In all probability he prolonged his stay until he had been duly consecrated, for Mendieta says:

Tornó consagrado á esta Nueva España año de mil y quinientos y treinta y cuatro." (loc. cit. p. 631.)

This agrees with the above Bull of Clement VII, which is dated Sept. 5th 1534.

He did not remain long in Mexico, for the above mentioned plaquette, contains a manuscript note, signed by Fernando Columbus, which reads as follows:

"Este libro me dio el mesmo autor en Valladolid a .25. de agosto de 1536". (Cf. our Additions to the B.A.V.)

It is on the occasion of this voyage that he probably supplied himself with the Document, the original of which is bound herein. It was found in Spain, either at Toledo, or among the archives of the great house of Altamira. It was owned for a long time by Gallardo.

Zumarraga was attending the wants of the poor in the village of Ocuituco, when he received the papal bull promoting him to the rank of

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Archbishop. But in what year? "En el año de 1547 Paul III le dio titulo de Arcobispo" says Davila, p. 28.

He died apparently of a stricture of the urethra ("mal de orina", says Mendieta) "Domingo despues de la fiesta del Corpus Christi, a las nueve de la mañana, año de mil y quinientos y quarenta y ocho" — 1548.

Mendieta says:

"Los tapices y paños de su casa, eran muchos y buenos libros, porque era amicísimo de letras y de los que las tenian con humildad."

Yet he is charged with having collected from every quarter, especially from Tezcuco, the most cultivated capital in Anahuac, and the great depository of the national archives, all the MSS. and paintings of the Mexicans, which he caused to be piled up in a mountain heap, in the market place of Tlatelolco, and reduced them to ashes.

The chief authorities for this charge are:

Joseph de Acosta: De Natura Novi orbis. Salmant. 1589. 8º. Lib. VI, cap. 7.

J. de Torquemada : Monarquia Indiana, Sevilla, 1615, fol. Lib. II, III, cap. 6, lib. XIV, c. 8.

Prescott quotes Ixtlilxochitl. Hist. Chich., MS., Prologo. — Idem, Sum. Reac. MS.

See also Clavigero, Stor. del Messico, tom II, p. 188 (if possible the original Spanish text just discovered in Mexico.)

Bustamante's Pref. to Ixtlilxochitl, Cruautés des Espagnols (trad. by Ternaux. p. xvii)

We have of Zummaraga a very interesting letter dated 1532, and addressed to P. Mathias Weynssen, general of the order, which was first published in the addition to the Latin Cortes. of 1532 (B.A.V. No 168). It was afterwards republished in the Novus orbis of 1555. The Spanish text is to be found in the additions to the Thesoro de Virtudes (B.A.V. No 244), and in Gil Gonzales Davila's Teatro (p. 26.)

He is also the author of the Doctrina Breve, printed at Mexico in 1544 (B.A.V. No 249).

Herrera says that when he was entrusted by the King with the task of writing his Historia, he was permitted to consult the "Papeles que havia en su Real Camara", among which "se hallaron las Relaciones del Obispo Zumarraga". (Decad. VI, lib. III, cap. XIX). We have been unable to find the least traces of them either in Toledo, Madrid or Sevilla. In the Biblioteca Nacional at Madrid, there is from him a "Carta al Comendador Francisco de los Cobos, año 1530, sobre los trabajos que padecian los indios por los españoles, y sobre la multitud de pleitos que se movieron despues que fué allá la Audiencia de Mejico" (G, 67, p. 345)

In the Uguina collection of MSS. bought of Rich by Mr. Lenox, we find "Cartas de Fr. Juan de Zummaraga primer Obispo de Mexico. 1529, &c. Folio, 63 leaves" No 35.

There is no mention of him in Wadding. Scriptor. Ordin. Minorum. That in the Monarquia of Torquemada (Vol. III, cap. 30, p. 506) is taken from Mendieta.

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CHRISTOPHORUS DE CABRERA, ſacræ theologiæ magiſter, ſacerdoſque Palentinæ dioceſis (Antonio, B. H. Nova, I, p. 288.), calls himself "Burgenſis" (Manual de adultos)

The preſent document, which was written and certified by him as apostolical Notary, is the earliest mention which we have been able to find of his name and avocation.

He was a prolific writer of devotional poetry, as may be seen from the long list of works, printed and manuscript, given by Antonio.

He is the author of the distich inscribed at the close of the Manual de Adultos (B. A. V. No. 232).

The Bibliotheca Barlowiana poſſesses his rariſſima Meditatiunculæ (Valladolid, 1548, 4to), in which Cabrera alludes to his sad experience among the Indians of New Spain, and utters objurgations against Mexico.

In our Additions to the B. A. V., we deſcribe, on the authority of Gallardo (Enſayo, No. 1519) his Flores de Conſolacion (Valladolid, 1549, 8o), which are dedicated to Cortez' second wife, and dated "En Cuernavaca, o como los indios dicen, Cohunnauac, el mas fresco y apacible pueblo de la Nueva Eſpaña, 25 de Mayo."

According to this date, he seems to have been still living in Mexico in 1549, although the privilege of the Meditatiunculæ, which is dated "Valladolid a. XXI des mes de Iulio de M. D. XLVIII años", calls him "vezino de la villa del Rio."

The witneſses to the act, were:

RAPHAEL DE CERVANES "maestro en artes y doctor en theologia proviſor deſte obispado de Mexico."

FRANCISCO MARTINEZ "Clerigo presbytero"

SANCHO LOPEZ DE AGUITO "Mayordomo desta dicha yglesia"

ALONSO LOPEZ "alguazil dela audiencia."

Concerning whom, I have not been able as yet to ascertain anything.

H. H.

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